APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,274	07/11/2001	James X. Kong	80168-0237	8343

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EXAMINER
CORRIELUS, JEAN M

ART UNIT	PAPER NUMBER
2172	

DATE MAILED: 07/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Office Action Summary	Application No.	Applicant(s)
		09/902,274	KONG, JAMES X.
		Examiner	Art Unit
		Jean M Corrielus	2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 July 2001* .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 July 2001* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____ .

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *2* .	6) ☐ Other: .

DETAILED ACTION

1.   This office action is in response to the Application filed on July 11, 2001 (paper no.1) in

which claims 1-24 are presented for examination.

Drawings

2.   Applicants are required to furnish the formal drawings in response this office action. No new

matter may be introduced in the required drawing. Failure to timely submit a drawing will result in

ABANDONMENT of the application.

Information Disclosure Statement

3.   The information disclosure statement filed on July 11, 2001 (paper no. 2) complies with the

provisions of M.E.P.. § 609. It has been placed in the application file. The information referred to

therein has been considered as to the merits.

Claim Rejections - 35 U.S.C. § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter
which the applicant regards as his invention.

5.   Regarding claims 2, 10, 15 and 23, the character "?" renders the claim(s) indefinite because

the claim(s) include(s) elements not actually disclosed (those encompassed by "?"), thereby rendering

the scope of the claim(s) unascertainable. See M.E.P.. § 2173.05(d). The character "?" is not defined

by the claim, the specification does not provide a standard for ascertaining the requisite degree, and

one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Claim Rejections - 35 U.S.C. § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section
> 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that
> the subject matter as a whole would have been obvious at the time the invention was made to a person having
> ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner
> in which the invention was made.

7.   Claims 1-4, 9-17 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Leung et al (hereinafter "Leung") US Patent no. 6,339,768 in view of Blakeley et al ., US Patent no.

5,826,077 (hereinafter "Blakeley").

As to claim 1, Leung discloses the claimed "using a code to create a condition filter in a standard

query language statement, the condition filter defining properties to be satisfied by a result of the

query, and the condition filter using an object to execute a precompiled query language statement"

as a program code contains the host language in which input to a pre-compile, wherein the generated

compiled set of runtime structures called an application plan from the compiled SQL statement and

wherein the program code received as input specify only the desired data, but not how to retrieve the

data (col.5, lines 6-35). Leung does not explicitly disclose the use of "sending the standard query

language statement to a database". However, Leung states that the SQL interface allows users to

manipulate the data, wherein each operator operates on either one or two tables and produces a new

table and wherein the SQL statement contains a search condition, wherein the search condition is

processed according to the specification in the SELECT clause.

Blakeley, on the order hand, states that once the database has been defined, the SELECT statement

in SQL is used to retrieve information from the database (col.2, lines 13-25) and by combining the

SELECT-FROM-WHERE of standard query language as a basic structure for query statements with

the set valued function of the host language . This implication discloses the "sending the standard

query language statement to a database". It would have been obvious to one having ordinary skill in

the art at the time the invention was made to combine the teachings of the cited references because

the standard query language of Blakeley would allow Leung's system the enhanced capability of

achieving better integration by determining the efficiency access paths and by making codes easier

to write and read, thereby improving its versatility and functionality.

As to claims 2, 10 and 13, Leung discloses the claimed "wherein data values in the condition filter

are replaced with "?" and a corresponding data value list is created" (col.6, lines 45-67).

As to claim 3, 11, Leung discloses the claimed "wherein the code includes a tree data structure"

wherein the query statement (code) is a graph model (col.9, lines 4-15).

As to claim 4, Blakeley discloses the claimed "wherein the code includes LIKE, AND, and OR

operators" (col.14, lines 40-45).

As to claim 9, discloses the claimed "using an application programing interface to create a standard query language statement, the condition filter defining properties to be satisfied by a result of the query (SQL) WHERE clause statement in a SQL statement and to pass the SQL WHERE clause statement to a persistent object framework (POF)" as a program code contains the host language in which input to a pre-compile, wherein the generated compiled set of runtime structures called an application plan from the compiled SQL statement and wherein the program code received as input specify only the desired data, but not how to retrieve the data (col.5, lines 6-35). Leung does not explicitly disclose the use of "sending the SQL statement to a database, wherein the SQL WHERE clause statement includes a condition filter uses a Prepared statement object". However, Leung states that the SQL interface allows users to manipulate the data, wherein each operator operates on either one or two tables and produces a new table and wherein the SQL statement contains a search condition, wherein the search condition is processed according to the specification in the SELECT clause. Blakeley, on the order hand, states that once the database has been defined, the SELECT statement in SQL is used to retrieve information from the database (col.2, lines 13-25) and by combining the SELECT-FROM-WHERE of standard query language as a basic structure for query statements with the set valued function of the host language . This implication discloses the sending the SQL statement to a database, wherein the SQL WHERE clause statement includes a condition filter uses a Prepared statement object". It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of the cited references because the standard query language of Blakeley would allow Leung's system the enhanced capability of

achieving better integration by determining the efficiency access paths and by making codes easier

to write and read, thereby improving its versatility and functionality.

As to claim 12, discloses the claimed "creating a condition filter for a standard query language (SQL)

WHERE clause statement"as a program code contains the host language in which input to a pre-

compile, wherein the generated compiled set of runtime structures called an application plan from the

compiled SQL statement and wherein the program code received as input specify only the desired

data, but not how to retrieve the data (col.5, lines 6-35). Leung does not explicitly disclose the use

of "passing the condition filter to a persistent object framework, wherein the SQL WHERE clause

statement uses a Prepared statement object to request a query".

However, Leung states that the SQL interface allows users to manipulate the data, wherein each

operator operates on either one or two tables and produces a new table and wherein the SQL

statement contains a search condition, wherein the search condition is processed according to the

specification in the SELECT clause.

Blakeley, on the order hand, states that once the database has been defined, the SELECT statement

in SQL is used to retrieve information from the database (col.2, lines 13-25) and by combining the

SELECT-FROM-WHERE of standard query language as a basic structure for query statements with

the set valued function of the host language. This implication discloses the use of "passing the

condition filter to a persistent object framework, wherein the SQL WHERE clause statement uses

a Prepared statement object to request a query". It would have been obvious to one having ordinary

skill in the art at the time the invention was made to combine the teachings of the cited references because the standard query language of Blakeley would allow Leung's system the enhanced capability of achieving better integration by determining the efficiency access paths and by making codes easier to write and read, thereby improving its versatility and functionality.

As to claims 14-17 and 22-24, the limitations of claims 14-17 and 22-24 have been noted in the rejection claims 1-4. In addition, Leung discloses the claimed 'making a connection with a database" as a database request module (DBRM) comprises of SQL statement from program codes (col.5, lines 17-24).

8.   Claims 5-8 and 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leung et al (hereinafter "Leung") in view of Blakeley et al., (hereinafter "Blakeley"). as applied to claims 1-4, 9-17 and 22-24 above, and further in view of Thai US Patent no. 5,666,528.

As to claims 5-8 and 18-21, neither Leung nor Blakeley discloses the claimed "wherein the code includes one of IS NULL and IS NOT NULL functions""wherein the code include some of UPPER, LOWER, and INITCAP functions" and "wherein the code comprises TO_DATE function". On the other hand, Thai, discloses the claimed "wherein the code includes one of IS NULL and IS NOT NULL functions" as a filter out all the record that does not meet the search criteria (col.8, line 30-col.9, line 30); "wherein the code include some of UPPER, LOWER, and INITCAP functions" converting the text string to uppercase and lower case (col.9, lines 56-67) and "wherein the code

comprises TO_DATE function" (col.9, lines 5-67). It would have been obvious to one having

ordinary skill in the art at the time the invention was made to combine the teachings of the cited

references because the standard query language of Blakeley would allow Leung's system the

enhanced capability of achieving better integration by determining the efficiency access paths and by

making codes easier to write and read, thereby improving its versatility and functionality.

Conclusion

9.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. (See PTO-948).

Any inquiry concerning this communication or early communication from the Examiner

should directed to **Jean Corrielus** whose telephone number is (703) 306-3035. The Examiner can

normally be reached on the weekdays from 7:00am to 5:30pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor,

Kim Vu, can be reached on (703)305-9343.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks Washington, D.C. 20231

        or faxed to:

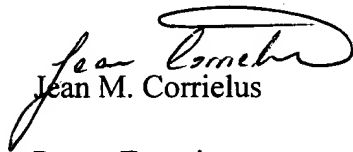**(703) 746-7239**, (for formal communications intended for entry)

        Or:

Art Unit: 2172:

(703)746-7240 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to **Crystal Park II, 2021 Crystal Drive, Arlington,**

VA., Sixth Floor (Receptionist).

Jean M. Corrielus

Patent Examiner

July 23, 2003